

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

HUMBERTO MORALES SANTIAGO
ANA MANUELA JIMENEZ SANCHEZ

Debtors

CASE NO. **08-02881-MCF**

CHAPTER **13**

**MOTION SUBMITTING A
POST-CONFIRMATION MODIFICATION OF PLAN**

TO THE HONORABLE COURT:

NOW COME debtors through the undersigned counsel and respectfully allege and pray:

1. The Trustee has filed an Unfavorable Report on Post Confirmation Modified Plan, alleging among other things the following: "*we ate month 31 of the plan's term, thus a lump sum of \$29,500.00 at month 30 would be a month overdue*", as seen on docket #72.
2. Debtors are filing a Post Confirmation Amended Plan to cure the Trustee's objection.

WHEREFORE, debtors pray this Honorable Court to grant this motion and admit the proposed amended plan.

CERTIFICATE OF ELECTRONIC FILING AND SERVICE

*I hereby certify that on this date copy of this motion has been electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to **ALEJANDRO OLIVERAS RIVERA**, Chapter 13 Trustee, and also certify that I have mailed by United States Postal Service copy of this motion to the non CM/ECF participants.*

NOTICE

*Parties in interest are notified they have **twenty (20) days** to reject a proposed modification of a plan and request a hearing. Absent good cause, untimely rejections shall be denied.*

RESPECTFULLY SUBMITTED.

In Guayama, Puerto Rico, this 17th day of December, 2010.

/s/MANUEL E. FUSTER MARTINEZ
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:

Humberto Morales Santiago
Ana Manuela Jiménez Sánchez
DEBTOR(S)

BK CASE # 08-2881-MCF

CHAPTER 13

Amended CHAPTER 13 PAYMENT PLAN

- The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
- The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 12/17/2010

☐ PRE ☒ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 12/17/2010

FILED BY ☒ DEBTOR ☐ TRUSTEE ☐ OTHER

I. PAYMENT PLAN SCHEDULE

\$1,200.00	x	12	=	\$14,400.00
\$1,275.00	x	4	=	\$5,100.00
\$1,375.00	x	7	=	\$9,625.00
\$0.00	x	1	=	\$0.00
\$1,475.00	x	1	=	\$1,475.00
\$1,000.00	x	1	=	\$1,000.00
\$1,640.00	x	22	=	\$37,180.00
\$2,100.00	x	12	=	\$25,200.00
\$	x		=	
\$	x		=	

Additional Payments: TOTAL = \$93,980.00

\$29,500.00 to be paid as a LUMP SUM
within 24 months with proceeds to come from

☐ Sale of property identified as follows:

☒ Other: * Refinance of property located
at Urb. Anaída, Calle Marginal E-13.
Ponce, Puerto Rico

Periodic Payments to be made other than, and in
addition to the above.

\$ x =

PROPOSED BASE: \$123,480.00

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

a. Outstanding balance as per Rule 2018(b) Fee

Disclosure Statement: \$2,000.00

b. Additional Fees: \$-0-

c. Adjusted Balance \$2,000.00

Signed:

Attorney for DEBTOR

JOINT DEBTOR

II DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS CR \$

B. SECURED CLAIMS.

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid
as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. B.B.V.A. Cr. Daimler Chrysler Cr.
\$14 \$12 \$
\$1,172.98 \$848.41 \$

2. ☐ Trustee pays IN FULL Secured Claims

Cr. Cr. Cr.
\$ \$ \$

3. ☐ Trustee pays VALUE OF COLLATERAL

Cr. Cr. Cr.
\$ \$ \$
\$ \$ \$

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

Shares to Serencoop

5. ☐ OTHER:

6. ☒ Debtor Otherwise maintains regular payments directly to:

BBVA and Daimler Chrysler

C. PRIORITIES. The Trustee shall pay priorities in accordance with the law.

(11 U.S.C. § 507 and § 1322 (a)(2))

D. UNSECURED CLAIMS. Plan ☐ Classifies ☒ Does not Classify Claim.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.
\$ \$ \$

(b) ☐ Other:

2. Unsecured Claims otherwise receive PRO-RATA disbursements

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecured, etc.)

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